



Mendocino County

Legislation Details (With Text)

File #: 19-1083 **Version:** 1 **Name:**
Type: Ordinance **Status:** Consent Agenda
File created: 11/12/2019 **In control:** Treasurer-Tax Collector
On agenda: 11/19/2019 **Final action:**
Title: Adoption of Ordinance Amending Chapter 5.20 of the Mendocino County Code for Collection of Transient Occupancy Tax on Short-Term Visitor Accommodation in Private Campgrounds (Sponsors: Treasurer-Tax Collector & County Counsel)
Sponsors: County Counsel
Indexes:
Code sections:
Attachments: 1. Ordinance 4442, 2. Ordinance - Redline, 3. Ordinance - Clean, 4. Ordinance - Summary, 5. Affidavit of Publication, 6. Affidavit of Publication - Adoption

Date	Ver.	Action By	Action	Result
11/19/2019	1	Board of Supervisors		

To: Board of Supervisors

From: Treasurer-Tax Collector and County Counsel

Meeting Date: November 19, 2019

Department Contact: Shari Schapmire

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Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Adoption of Ordinance Amending Chapter 5.20 of the Mendocino County Code for Collection of Transient Occupancy Tax on Short-Term Visitor Accommodation in Private Campgrounds (Sponsors: Treasurer-Tax Collector & County Counsel)

Recommended Action/Motion:

Adopt Ordinance amending Chapter 5.20 of the Mendocino County Code for the collection of transient occupancy tax on short-term visitor accommodations in private campgrounds; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

On November 5, 2019, the Board of Supervisors directed County Counsel to prepare an ordinance extending the transient occupancy tax to private campgrounds within the unincorporated area of Mendocino County. The Board further directed that the ordinance impose a general tax but that County Counsel prepare and advisory measure asking the voters whether the tax revenues should be distributed to the fire agencies within Mendocino County. On November 12, 2019, the Board of Supervisors introduced and waived first reading of Ordinance.

Summary of Request:

The proposed ordinance would amend Mendocino County Code Chapter 5.20 to change “hotel” to “lodging establishment” under definitions and add private campgrounds, recreational vehicle parks, and tent sites, including “glamping” style accommodations to the definition of “lodging establishment”, thus allowing the collection of a transient occupancy tax (“TOT”). Currently, Chapter 5.20 applies only to hotels, and visitors to other forms of short-term accommodations are not taxed.

Pursuant to Revenue and Tax Code section 7280, this ordinance does not include a campsite in a state park system or any facility operated by a local governmental entity.

Expanding the collection of TOT to include private campgrounds and recreational vehicle parks requires voter approval in a county-wide election. Next year’s general election on March 3, 2020, provides an opportunity for a Measure to be placed on the ballot which, if approved, would authorize the collection of TOT from private campgrounds and recreational vehicle parks.

Pursuant to Board direction, the ordinance will impose a general tax, and therefore the tax revenues will not be legally restricted to any particular purpose. The Board, however, directed County Counsel to also prepare an advisory measure asking the voters whether the revenue generated by this ordinance should be disbursed at a ratio of 75% to the fire agencies within Mendocino County and 25% at the discretion of the Fire Chief’s Association. Should the Board approve the ordinance as presented, County Counsel will bring forward a resolution directing that the advisory measure be placed on the ballot. That resolution will come forward as a companion item to final adoption of the proposed ordinance.

Alternative Action/Motion:

Do not adopt Ordinance; return to staff for direction.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: N/A

budgeted in current f/y: No

if no, please describe: Unknown at this time

revenue agreement: N/A

budget clarification: To Be Determined

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

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Executed By: Lindsey Dunham, Deputy Clerk I

Date: November 21, 2019

Final Status:**Adopted**

Executed Item Number: **Ordinance** Number:
4442

